



City of Seattle
Gregory J. Nickels, Mayor

Department of Planning and Development
Diane M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3004039
Applicant Name: Jeff Wegener for Great Northern Co.
Address of Proposal: 5015 37th Avenue S.

SUMMARY OF PROPOSED ACTION

Land Use Application to approve four single family homes; one, two-unit townhouse and a three-unit townhouse (for a total of nine dwelling units). Parking for nine vehicles will be located in attached garages and two surface parking spaces. The two existing residences are to be demolished.

The following approval is required:

SEPA – Environmental Determination – Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction.

BACKGROUND DATA

Site and Area Description

This proposal site is located in the Columbia City Residential Urban Village (RUV). The site is bounded to the north by S Hudson Street, to the east by 37th Avenue S, to the south by S Dawson Street, to the southwest by Renton Avenue S and to the west by 35th Avenue S. The subject site is rectangular in shape and is approximately 61.33-feet wide and 210-feet deep. The property is currently developed with two single family residences that have vehicular access from 37th Avenue S. The site is vegetated with shrubs, large bushes and a 12-inch Blue Spruce Tree. Existing conditions on a small area in the west half of the site also suggest that it had been used as pea patch or vegetable garden apparently by the occupant of the adjacent properties.

The property measures approximately 61.33-feet in width and approximately 210-feet deep, with a total lot area of approximately 12,879.3 sq. ft. The project site is zoned Lowrise-two (L-2) and is located in a predominately single-family and multi-family neighborhood. The density for Lowrise-two zone is one dwelling unit per each 1,200 sq. ft. of lot area. The property site has a lot area of 12,879.3 sq. ft., therefore, has a potential for 11-units. This proposal is for 9-units. 37th Avenue S. is a two lane paved street with sidewalks, curbs and gutters on both sides.

Development in the Vicinity

To the north, west and south of the site, the area is zoned Single Family (SF5000) and the existing developments are mostly single family houses with some duplexes and triplexes. East of the site is zoned Commercial (C2-65') and the development directly across the street is Saint Gobain Plastics.

Proposal Description

The applicant proposes to construct four single family homes, one 2-unit townhouse structure and one 3-unit townhouse structure, for a total of nine (9) dwelling units. The three-unit structure will be located at the west portion of the lot, the two-unit structure will be located at the east portion of the lot facing 37th Avenue S., and four single family structures will be built approximately at the middle portion of the lot.

Vehicle access will be from 37th Avenue S. and parking for nine (9) vehicles will be located in attached garages and two surface parking spaces. The two surface parking spaces will be located between the single family structures. The rest of the area will be landscaped and utilized as part of the open spaces required for this development.

All the proposed townhouse structures and single family structures are three (3) stories. A garage for each individual unit is provided under the structure at grade level. Access to individual garage is through common paved driveways which branch out from a main driveway which serves as ingress/egress to the development. Each individual townhouse unit and single family home is provided with a directly accessible and fully landscaped private usable open space.

Public Comments

No comment letters were received during the comment period that ended February 1st, 2006.

ANALYSIS – SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated December 19th, 2005. The information in the checklist, a subsurface exploration and assessments, project plans and other related documentations, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between the codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: “where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation” (subject to some limitations). Under certain limitations/circumstances (SMC 25.050.665 D 1 through 7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from construction activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud trucked onto the streets during construction activities; excavation, backfill and site grading; increased traffic demand for parking from construction materials hauling, equipment and personnel; increased noise; and consumption of renewable and nonrenewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The proposal includes excavation of soils and grading for construction. The applicant estimates approximately 250 cubic yards of grading.

The Stormwater, Grading and Drainage Control Code regulate site excavation and require that soil erosion control techniques be initiated for the duration of the construction. The Street Use Ordinance requires watering the streets and on-site driveways to suppress dust, on-site washing of truck and equipment tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for the construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City. Compliance with this applicable Codes and Ordinances will reduce or eliminate most short-term impacts to the environment and no further conditioning pursuant to SEPA policies is warranted.

Because of the fact that excavation, grading and building construction will be undertaken, additional analysis of noise, air quality and traffic impacts is warranted.

Noise

Noise associated with the excavation, grading, foundation work, building construction and structure framing, truck hauling of materials into and from the site will have adverse impact on nearby residences and other sensitive land uses. The protection levels of the Noise Ordinance are considered inadequate for the potential noise impact on the nearby uses. The impacts upon nearby uses would be especially adverse in the early morning, in the evening and on weekends. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Policy (SMC

25.05.675) allow the reviewing agency to limit the hours of construction in order to mitigate adverse noise impact. Pursuant to the policy, and because there are residences and other noise-sensitive developments in the vicinity, the applicant will be required to limit the periods of construction to between hours of 7:30 a.m. and 6:00 p.m. on non-holiday weekdays.

Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect the air quality; hydrocarbon emissions from construction vehicles and heavy equipment; and increased suspended particulates from construction activities. Compliance with PSCAA regulations will mitigate potential adverse short term impacts to air.

Grading – Earth/Soils

Any additional information necessary to conform to the applicable ordinances and codes (The Stormwater, Grading and Drainage Control Code, Director's Rules DR 3-93 and 3-94) will be required prior to issuance of a Master Use Permit. The use of applicable Codes and Ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques. Therefore, no additional conditioning is warranted pursuant to SEPA policies.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or grading greater than 100 cubic yards of material. The current proposal involves cuts greater than 3' in height and grading of more than 250 cubic yards of material. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe that construction techniques are used, therefore additional conditioning is not warranted pursuant to SEPA policies.

Traffic

Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The proposal site is near a couple of arterial street and traffic impacts resulting from the truck traffic associated with the hauling of construction materials and debris will be of short duration and mitigated by enforcement of SMC 11.62.

For the removal or import of soil to the site, including disposal of spoil materials, the Code (SMC 11.74) provides that materials hauled in trucks not spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from the level of material to the top of the truck container) be provided in loaded, uncovered trucks to minimize the amount of spilled materials and dust from the truck bed en-route to or from the site.

Long-term Impacts

Long term or use-related impacts are anticipated from this proposal that would include the following: increased water runoff from site coverage by impervious surfaces; potentially decreased water quality in the surrounding watersheds; increased bulk and scale on the site; increased ambient noise due to increased human activity; increased demand on public services

and utilities; increased light and glare; increased energy consumption; increased on-street parking demand and increased vehicle traffic. These long term impacts, although adverse, are not considered significant because they are within the scope of those impacts anticipated by the zoning and are relatively minor in scope.

Notwithstanding the determination of non-significance, the following impacts merit more detailed discussions due either to public comments or their greater importance: height, bulk and scale; parking; traffic; and noise.

Other Impacts

Several adopted Codes and Ordinances and other Agencies will appropriately mitigate the other use-related adverse impacts created by the proposal. Specifically, these are the Seattle Energy Code (long term energy consumption) and the Puget Sound Clean Air Agency (increased airborne emissions). The other impacts not noted here as mitigated by codes, ordinances (increased ambient noise, increased pedestrian traffic, increased demand on public services and utilities) are not sufficiently adverse to warrant further mitigation by conditions.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on the file with the responsible department. This constitutes the Threshold Determination and form. The intent of the declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under CRW 43.21C.030(2)(C).

CONDITIONS - SEPA

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

- Signature: (signature on file)
Joan S. Carson, Land Use Planner II
Department of Planning and Development

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